

SCHIFF HARDIN LLP
SARAH D. YOUNGBLOOD (CSB No. 244304)
syoungblood@schiffhardin.com
LANCE C. CIDRE (CSB No. 287906)
lcidre@schiffhardin.com
One Market Plaza, Spear Street Tower
Thirty-Second Floor
San Francisco, CA 94105
Telephone: (415) 901-8700
Facsimile: (415) 901-8701

Attorneys for Defendants
WYNDHAM VACATION RESORTS, INC. and
WYNDHAM VACATION OWNERSHIP, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ALBERT KISSLING,

Plaintiff,

v.

WYNDHAM VACATION RESORTS,
INC., WYNDHAM VACATION
OWNERSHIP, INC., and DOES 1
THROUGH 25, inclusive.

Defendants.

Case No. 3:15-cv-04004-EDI

**STIPULATION AND [PROPOSED] ORDER
EXTENDING DEFENDANTS' TIME TO
ANSWER COMPLAINT AND
CONTINUING INITIAL CASE
MANAGEMENT CONFERENCE AND
RELATED DEADLINES**

Defendants Wyndham Vacation Resorts, Inc. and Wyndham Vacation Ownership, Inc. (“Defendants”) and Plaintiff Albert Kissling (“Plaintiff”) (collectively, the “Parties”) hereby stipulate and agree to the following:

WHEREAS, on November 18, 2015, this Court granted Defendants' partial motion to dismiss, which makes Defendants' Answer to Plaintiff's First Amended Complaint due on or before December 2, 2015:

WHEREAS, the Parties are scheduled to appear before this Court for an initial case management conference on December 17, 2015, which makes the Parties' joint case management statement due on or before December 10, 2015:

1 WHEREAS, the Parties desire an opportunity to resolve this case through mediation and
 2 have scheduled a mediation session to take place on December 7, 2015;

3 WHEREAS, the Parties believe that the interests of justice will best be served by a short
 4 extension of Defendants' time to answer the First Amended Complaint, as well as a brief
 5 continuance of the initial case management conference, to dates following the planned mediation
 6 so as to allow the Parties an opportunity to fully and meaningfully participate in mediation
 7 without expending unnecessary time and financial resources on litigation in the interim;

8 WHEREAS, the Parties believe that good cause exists to grant the requested extension
 9 and continue the initial case management conference and its related deadlines because doing so
 10 will conserve both the Court's and the Parties' resources by briefly postponing further activity in
 11 the litigation until the Parties have had an opportunity to complete mediation;

12 WHEREAS, the Parties have met and conferred and agreed to extend Defendants' time to
 13 answer Plaintiff's First Amended Complaint by two weeks to December 16, 2015;

14 WHEREAS, the Parties have met and conferred and agreed to continue the December 17,
 15 2015 initial case management conference for three weeks to January 7, 2016, or to a later date
 16 based on the convenience of the Court;

17 WHEREAS, the Parties have not previously sought a continuance of the initial case
 18 management conference and do not believe that the proposed continuance will affect any current
 19 Court deadlines in this matter or prejudice any of the parties to this action.

20 **IT IS HEREBY STIPULATED AND AGREED THAT:**

21 1. Defendants' Answer to Plaintiff's First Amended Complaint shall be due on or
 22 before December 16, 2015;

23 2. The initial case management conference currently set for December 17, 2015 will
 24 be continued for three weeks to January 7, 2016, or to a later date based on the convenience of the
 25 Court, and that those deadlines flowing from the date of the initial case management conference
 26 shall be reset accordingly.

27 ///

28 ///

1 Dated: November 24, 2015

Respectfully submitted,

2 SCHIFF HARDIN LLP

3

4 By: /s/ Lance C. Cidre

5 Sarah D. Youngblood

6 Lance C. Cidre

7 Attorneys for Defendants

WYNDHAM VACATION RESORTS,

INC. and WYNDHAM VACATION

OWNERSHIP, INC.

8 Dated: November 24, 2015

9 CALIFORNIA CIVIL RIGHTS LAW GROUP

10

11 By: /s/ Julianne K. Schwarz

12 Lawrence A. Organ

13 Navruz Ayloni

14 Julianne K. Schwarz

15 Attorneys for Plaintiff

16 ALBERT KISSLING

17 PURSUANT TO STIPULATION AND GOOD CAUSE APPEARING, the Court hereby
18 orders as follows:

19 1. Defendants' Answer to Plaintiff's First Amended Complaint shall be filed on or
20 before December 16, 2015;

21 2. The initial case management conference is continued to January 14, 2016,
22 _____, at 9:30 a.m. in Courtroom 5 of the above-entitled Court. The parties' joint case
management statement shall be filed on or before January 7, 2016. All
other deadlines flowing from the date of the initial case management conference shall be reset
accordingly.

23 IT IS SO ORDERED.

24
25 11/25/15

26 Date: _____

